

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

112701-335

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/070486

INTERNATIONAL APPLICATION NO.  
PCT/EP00/08731

INTERNATIONAL FILING DATE  
7 September 2000

PRIORITY DATE CLAIMED  
13 September 1999

TITLE OF INVENTION  
HIGH LIPID DIET

APPLICANT(S) FOR DO/EO/US  
Turini et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Return Receipt Postcard  
Express Mail Label No.: EL 727 382 483 US

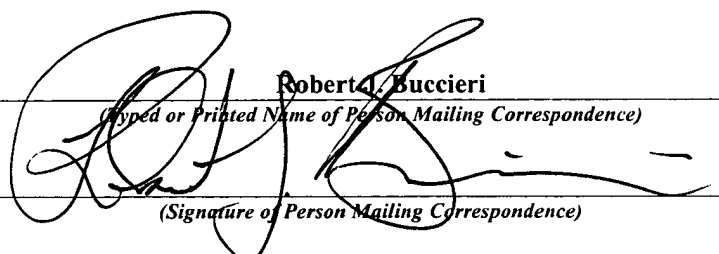
U.S. APPLICATION NO. (IF KNOWN, S. CFR <div style="font-size: 1.5em; font-weight: bold;">10/070486</div>	INTERNATIONAL APPLICATION NO. <div style="font-weight: bold;">PCT/EP00/08731</div>	ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold;">112701-335</div>
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24. The following fees are submitted:				CALCULATIONS PTO USE ONLY		
<b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b>						
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....						\$1040.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....						\$890.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....						\$740.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....						\$710.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....				\$100.00		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$890.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than _____ months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$0.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	40 - 20 =	20	x \$18.00	\$360.00		
Independent claims	6 - 3 =	3	x \$84.00	\$252.00		
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,502.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$0.00		
<b>SUBTOTAL =</b>				\$1,502.00		
Processing fee of \$130.00 for furnishing the English translation later than _____ months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00		
<b>TOTAL NATIONAL FEE =</b>				\$1,502.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				\$0.00		
<b>TOTAL FEES ENCLOSED =</b>				\$1,502.00		
				Amount to be refunded	\$	
				charged	\$	

- a. ☒ A check in the amount of \$1,502.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-1818 A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  <div style="border: 1px solid black; padding: 5px;"> <b>Robert M. Barrett, Esq.</b>  <b>ATTORNEYS FOR APPLICANTS</b>  <b>Bell, Boyd &amp; Lloyd LLC</b>  <b>P.O. Box 1135</b>  <b>Chicago, Illinois 60690-1135</b> </div>	<div style="text-align: center;"> </div> <div style="border-top: 1px solid black; margin-top: 5px;">             SIGNATURE           </div> <div style="border-top: 1px solid black; margin-top: 5px;"> <b>Robert M. Barrett</b> </div> <div style="border-top: 1px solid black; margin-top: 5px;">             NAME           </div> <div style="border-top: 1px solid black; margin-top: 5px;"> <b>30,142</b> </div> <div style="border-top: 1px solid black; margin-top: 5px;">             REGISTRATION NUMBER           </div> <div style="border-top: 1px solid black; margin-top: 5px;"> <b>March 6, 2002</b> </div> <div style="border-top: 1px solid black; margin-top: 5px;">             DATE           </div>
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<b>CERTIFICATE OF MAILING "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No. 112701-335
Applicant(s): <b>Turini et al.</b>			
Serial No. <b>PCT/EP00/08731</b>	Filing Date <b>Filed Herewith</b>	Examiner <b>Unknown</b>	Group Art Unit <b>Unknown</b>
Invention: <b>HIGH LIPID DIET</b>			
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <b>Transmittal Letter (duplicate); International Application as filed; International Preliminary Examination Report; Unexecuted Declaration and Power of Attorney; Preliminary Amendment; Check in the Amount of \$1,502.00; and Return Receipt Postcard.</b> </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on</p> <p style="text-align: center;"><b>March 6, 2002</b></p> <p style="text-align: center;"><i>(Date)</i></p> <div style="text-align: center; margin-top: 20px;">   <b>Robert J. Buccieri</b>  <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <i>(Signature of Person Mailing Correspondence)</i> </div> <div style="text-align: center; margin-top: 10px;"> <b>EL 727 382 483 US</b>  <i>("Express Mail" Mailing Label Number)</i> </div>			
<p style="text-align: center;"><b>Note: Each paper must have its own certificate of mailing.</b></p>			